



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 09.10.2020
CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

WEB COPY

Crl.O.P (MD) No.11065 of 2020

R.Murugan

... Petitioner

Vs.

1.The Commissioner of Police,
O/o. Police Commissionerate,
Madurai City, Madurai.

2.The Assistant Commissioner of Police,
Anti-land Grabbing Special Cell,
Madurai Police Commissionerate Office, Madurai.

3.The Sub Inspector of Police,
Anti-land Grabbing Special Cell,
Madurai Police Commissionerate Office, Madurai.

4.B.Madhan Singh

... Respondents

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to issue direction by restraining the respondents 1 to 3 not to indulge in the civil dispute and not to harass the petitioner in the pretext of summon issued based on the complaint given by the defacto complainant/4th respondent.

For Petitioner : Mr.Raja Karthikeyan

For R1 to R3 : Mr.V.Neelakandan

Additional Public Prosecutor

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondents 1 to 3.

2.It appears that the fourth respondent had purchased the property in occupation of the petitioner from the father of the petitioner. The fourth respondent wants the petitioner to vacate the premises. In this regard two suits have been instituted in O.S.No.619 of 2018 and O.S.No.642 of 2018. *Prima facie*, it appears to be a clear case of civil dispute. Therefore, the third respondent is restrained from compelling the petitioner to vacate the property. But, at the same time, this Court cannot infringe the rights of the fourth respondent. The fourth respondent is said to have been given a complaint before the third respondent, as on date, it is pending at the enquiry stage.



3. The third respondent is directed to conclude the petition mentioned enquiry within a period of two weeks from the date of receipt of a copy of this order. If at the end of the enquiry, it is decided to register any FIR, the petitioner shall be put on notice so that the petitioner will have breathing time to move the concerned Court for the relief of anticipatory bail.

4. In view of the above direction, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (writs)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Commissioner of Police,
O/o. Police Commissionerate, Madurai City, Madurai.
- 2.The Assistant Commissioner of Police,
Anti-land Grabbing Special Cell,
Madurai Police Commissionerate Office, Madurai.
- 3.The Sub Inspector of Police,
Anti-land Grabbing Special Cell,
Madurai Police Commissionerate Office, Madurai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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